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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,379	07/09/2003	Skott C. Klebe	C0011/7004	1320

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LAW OFFICES OF PAUL E. KUDIRKA  
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BOSTON, MA 02109

EXAMINER
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HA, LEYNNA A

ART UNIT	PAPER NUMBER
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2135

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/616,379

Applicant(s)

KLEBE, SKOTT C.

Examiner

LEYNNA T. HA

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1-30 is pending.
2. This is a Final rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipate by Romansky, et al. (US 6,535,871).**

#### **As per claim 1:**

Romansky discloses a method for distributing secure digital content that can be indexed by third party

search engines, the method comprising:

(a) generating a text stream from the digital content by stripping all graphic information and punctuation from the digital content; **(col.2, line 5)**

(b) fragmenting the text stream into multi-word phrases; **(col.2, lines 11-32 and col.3, lines 6-17)**

(c) randomly assembling the phrases into a scrambled document; and **(col.2, lines 33-40 and col.3, lines 24-35)**

(d) making the scrambled document available to the third party search engines. **(col.3, lines 43-52)**

**As per claim 2:** See col.2, lines 11-32 and col.3, lines 6-17: discussing a method of claim 1 wherein step (b) comprises parsing the text stream to generate a word stream and fragmenting the word stream into phrases, where each phrase contains at least two words.

**As per claim 3:** See col.2, lines 26-40 and col.3, lines 24-35: discussing the method of claim 2 wherein the total number of words in a phrase is random.

**As per claim 4:** See col.2, lines 11-35 and col.3, lines 6-17: discussing the method of claim 3 wherein the total number of words in a phrase has a maximum of five words.

**As per claim 5:** See col.2, lines 26-40 and col.3, lines 24-35: discussing the method of claim 1 wherein step (c) comprises forming a stream of phrases and randomly swapping the position of phrases in the phrase stream.

**As per claim 6:** See col.1, lines 60-65 and col.3, lines 47-52: discussing the method of claim 1 further comprising: (e) returning the scrambled document content when the scrambled document is indexed by the third party search engines.

**As per claim 7:** See col.3, lines 42-52 and col.4, lines 4-10: discussing a method of claim 6 wherein step (e) comprises examining a user agent parameter to determine whether a search engine or a browser is requesting the scrambled document.

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**As per claim 8:** See col.1, lines 19-24 and 59-65: discussing the method of claim 6 further comprising: (f) returning a link to an owner of the secure content when a browser links from the search engine to the indexed scrambled document.

**As per claim 9:** See col.1, lines 19-24 and 36-65: discussing the method of claim 8 wherein the scrambled document contains a script routine that loads a web page provided by the secure content owner and step (f) comprises running the script routine after the scrambled document content has been loaded into the browser.

**As per claim 10:** See col.1, lines 46-48 and 60-65 and col.3, lines 43-52: discussing the method of claim 9 wherein step (f) comprises using the script routine to hide the scrambled text from a user.

**As per claim 11:**

Romansky discloses apparatus for distributing secure digital content that can be indexed by third party search engines, the apparatus comprising:

a stripper that generates a text stream from the digital content by stripping all graphic information and punctuation from the digital content; (col.2, line 5)

means for fragmenting the text stream into multi-word phrases; (col.2, lines 11-32 and col.3, lines 6-17)

a stream assembler that randomly assembles the phrases into a scrambled document; and (col.2, lines 33-40 and col.3, lines 24-34)

means for making the scrambled document available to the third party search engines. (col.3, lines 43-52)

**As per claim 12:** See col.2, lines 11-35 and col.3, lines 6-17: discussing the apparatus of claim 11 wherein the means for fragmenting comprises a parser that parses the text stream to generate a word stream and a fragmented that fragments the word stream into phrases, where each phrase contains at least two words.

**As per claim 13:** See col.2, lines 26-40 and col.3, lines 24-35: discussing the apparatus of claim 12 wherein the total number of words in a phrase is random.

**As per claim 14:** See col.2, lines 11-35 and col.3, lines 12-17: discussing the apparatus of claim 13 wherein the total number of words in a phrase has a maximum of five words.

**As per claim 15:** See col.2, lines 26-40 and col.3, lines 24-35: discussing the apparatus of claim 11 wherein the stream assembler comprises means for forming a stream of phrases and means for randomly swapping the position of phrases in the phrase stream.

**As per claim 16:** See col.1, lines 60-65 and col.3, lines 47-52: discussing the apparatus of claim 11 further comprising means for returning the scrambled document content when the scrambled document is indexed by the third party search engines.

**As per claim 17:** See col.3, lines 42-52 and col.4, lines 4-10: discussing the apparatus of claim 16 wherein the means for returning the scrambled document content comprises means for examining a user agent parameter to determine whether a search engine or a browser is requesting the scrambled document.

**As per claim 18:** See col.1, lines 19-24 and 59-65: discussing the apparatus of claim 16 further comprising means for returning a link to an owner of the secure content when a browser links from the search engine to the indexed scrambled document.

**As per claim 19:** See col.1, lines 19-24 and 36-65: discussing the apparatus of claim 18 wherein the scrambled document contains a script routine that loads a web page provided by the secure content owner and the means for returning a link to an owner of the secure content comprises means for running the script routine after the scrambled document content has been loaded into the browser.

**As per claim 20:** See col.1, lines 46-48 and 60-65 and col.3, lines 43-52: discussing the apparatus of claim 19 wherein the script routine comprises means for hiding the scrambled text from a user.

**As per claim 21:**

Romansky discloses a computer program product for distributing secure digital content that can be indexed by third party search engines, the computer program product comprising a computer usable medium having computer readable program code thereon, including:

program code for generating a text stream from the digital content by stripping all graphic information and punctuation from the digital content; (**col.2, line 5**)

program code for fragmenting the text stream into multi-word phrases; (**col.2, lines 11-32 and col.3, lines 6-17**)

program code for randomly assembling the phrases into a scrambled document; and (**col.2, lines 33-40 and col.3, lines 28-34**)

program code for making the scrambled document available to the third party search engines. **(col.3, lines 43-52)**

**As per claim 22:** See col.2, lines 11-35 and col.3, lines 6-17: discussing the computer program product of claim 21 wherein the program code for fragmenting the text stream comprises program code for parsing the text stream to generate a word stream and program code for fragmenting the word stream into phrases, where each phrase contains at least two words.

**As per claim 23:** See col.2, lines 26-40 and col.3, lines 24-35: discussing the computer program product of claim 22 wherein the total number of words in a phrase is random.

**As per claim 24:** See col.2, lines 11-35 and col.3, lines 12-17: discussing the computer program product of claim 23 wherein the total number of words in a phrase has a maximum of five words.

**As per claim 25:** See col.2, lines 26-40 and col.3, lines 24-35: discussing the computer program product of claim 21 wherein the program code for randomly assembling the phrases into a scrambled document comprises program code for forming a stream of phrases and program code for randomly swapping the position of phrases in the phrase stream.

**As per claim 26:** See col.1, lines 60-65 and col.3, lines 47-52: discussing the computer program product of claim 21 further comprising program code for returning the scrambled document content when the scrambled document is indexed by the third party search engines.



**As per claim 27:** See col.3, lines 42-52 and col.4, lines 4-10: discussing the computer program product of claim 26 wherein the program code for returning the scrambled document content comprises program code for examining a user agent parameter to determine whether a search engine or a browser is requesting the scrambled document.

**As per claim 28:** See col.1, lines 19-24 and 59-65: discussing the computer program product of claim 26 further comprising program code for returning a link to an owner of the secure content when a browser links from the search engine to the indexed scrambled document.

**As per claim 29:** See col.1, lines 19-24 and 36-65: discussing the computer program product of claim 28 wherein the scrambled document contains a script routine that loads a web page provided by the secure content owner and the program code for returning the scrambled document content comprises program code for running the script routine after the scrambled document content has been loaded into the browser.

**As per claim 30:** See col.1, lines 46-48 and 60-65 and col.3, lines 43-52: discussing the computer program product of claim 29 wherein the script routine comprises program code for hiding the scrambled text from a user.

### ***Response to Arguments***

**4. Applicant's arguments filed 1/4/2007 have been fully considered but they are not persuasive.**

Examiner traverses Romansky's method index generating method used single keywords instead of multi-word phrases. The claimed multi-word phrases can broadly be given as having more than one word or plurality of words. The local dictionary discloses the term "phrase" means a word or group of words and thus, a phrase can merely contain one word. Hence, the term "phrases" consists of multiple words or more than one word. Romansky uses terms like words and combination of words which consists of plural words or more than one word reads on the claimed multi-word phrases. In addition, Romansky discloses an example of key words where the "ABC Electronics, Inc. strong buy", where the relationship or combination of some key words may be significant (col.2, lines 25-36). This example shows a way to conceal the relationship or combination of certain key words is randomizing the searchable synchronized index (col.2, lines 35-3). Therefor, Romansky has the ability of searching and concealing multiple words, which reads on the limitation for multi-word phrases for claims 1, 11, and 21.

All other dependent claims are also rejected by virtue of their dependencies.

### ***Conclusion***

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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